ESTTA Tracking number:

ESTTA303978 09/01/2009

Filing date:

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91180742
Party	Plaintiff Dr Pepper/Seven Up, Inc.
Correspondence Address	Laura Popp-Rosenberg Fross Zelnick Lehrman & Zissu, P.C. 866 United Nations Drive New York, NY 10017 UNITED STATES Ipopp-rosenberg@fzlz.com,bsolomon@fzlz.com
Submission	Plaintiff's Notice of Reliance
Filer's Name	Laura Popp-Rosenberg
Filer's e-mail	lpopp-rosenberg@fzlz.com,bsolomon@fzlz.com,mortiz@fzlz.com
Signature	/Laura Popp-Rosenberg/
Date	09/01/2009
Attachments	Opposer's Notice of Reliance on Printed Publications (F0507817).PDF ( 9 pages )(8946883 bytes )

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

-----X

DR PEPPER/SEVEN UP, INC.,

Opposer/Petitioner, : <u>Consolidated Proceedings</u>

Opposition No. 91180742

- against - : Cancellation No. 92048446

KRUSH GLOBAL LIMITED,

.

Applicant/Registrant.

#### OPPOSER/PETITIONER'S NOTICE OF RELIANCE ON PRINTED PUBLICATIONS

Pursuant to Rule 2.122(e) of the Trademark Rules of Practice, Opposer/Petitioner Dr Pepper/Seven Up, Inc. hereby makes of record and notifies Applicant/Registrant ("Applicant") of its reliance on the following printed publications:

- (a) Crossword Puzzle from *The New York Times* at C2, August 18, 2009, a true and correct copy of which is attached hereto as **Opposer's Exhibit PX223**, for which clue 59 Across is "Popular Fanta-like soda"; and
- (b) "Answer to Previous [Crossword] Puzzle," *The New York Times* at C2, August 19, 2009, a true and correct copy of which is attached hereto as **Opposer's Exhibit PX224**, indicating that the answer to clue 59 Across from August 18, 2009's crossword puzzle is "ORANGE CRUSH."

The attached printed publications are relevant to the fame of the CRUSH mark, as they indicate a reference to and knowledge of the mark in popular culture. These printed publications serve to rebut the testimony and evidence submitted by Applicant suggesting that CRUSH soda and the CRUSH brand is not a well-known, widely-known or popular beverage.

Respectfully submitted,

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

Barbara A. Solomon

Barbara A. Solomon Laura Popp-Rosenberg 866 United Nations Plaza New York, New York 10017

Tel: (212) 813-5900

Email: bsolomon@frosszelnick.com lpopp-rosenberg@frosszelnick.com

Attorneys for Opposer/Petitioner Dr Pepper/Seven Up, Inc.

Dated: New York, New York

September 1, 2009

#### DR PEPPER/SEVEN UP, INC. v. KRUSH GLOBAL LIMITED

Consolidated Proceedings
Opposition No. 91180742 (Parent)
Cancellation No. 92048446

# OPPOSER'S EXHIBIT PX223

## Arts Chief to See What Plays in Peoria

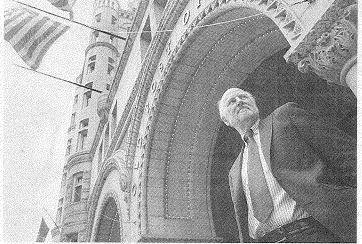
By ROBIN POGREBIN

Rocco Landesman, who was confirmed this month as the new chairman of the National Endowment for the Arts, has accepted an invitation to visit Peoria, Ill., an offer proffered in response to public comments he made about the city.

In an article published in The New York Times on Aug. 8, Mr. Landesman talked about his inclination to support art on the basis of quality, not geography, in implied contrast to his predecessor's policy of directing agency funds to every Congressional district. "I don't know if there's a theater in Peoria, but I would bet that it's not as good as Steppen-wolf or the Goodman," Mr. Landesman said in the article, making reference to two acclaimed companies. theater Chicago "There is going to be some push back from me about democratizing arts grants to the point where you really have to answer some questions about artistic merit."

After reading this, Suzette Boulais, the executive director of ArtsPartners of Central Illinois, an advocacy group, sent an e-mail message to Mr. Landesman inviting him to visit her area. "I thought, 'Let's give him an opportunity to see some of our stellar theater," Ms. Boulais said in a telephone interview on Monday. "We wanted to be proactive but with a good spirit and allow him a chance to meet with us."

Similarly, Kathy Chitwood, executive director of the Eastlight Theater in East Peoria, invited Mr. Landesman to see her theater's production of "Rent," which closed on Saturday. Although Mr. Landesman missed that opportunity, Ms. Chitwood said she looked forward to his future visit and that representatives from the Goodman and Steppenwolf were also expected to attend. "We're paying homage to the 'beer sum-



ANDREW COUNCILL FOR THE NEW YORK TIMES

Rocco Landesman, the new chairman of the National Endowment for the Arts, at the agency's headquarters last month.

mit' by calling this the 'lemonade stand,' Ms. Chitwood said in an interview Monday, referring to President Obama's recent informal peacemaking session at the White House.

"We're smaller — we get that — we know our place in the food chain of the arts," Ms. Chitwood added. "But we really have a place too, and our work is worthy."

Mr. Landesman, who is from St. Louis, said on Monday that he looked forward to the trip, which he planned to make sometime in early December, when the Eastlight presents its holiday show, and that he was surprised by the positive spirit with which the invitation was extended. "The attitude could have been indignation, hostility, being offended — it was anything but," he said. "I think it's something we're all going to have good fun with. It's great for the Peoria folks — having some attention. And we can make a statement about the N.E.A. - we do intend to be everywhere. I'm looking forward to it.

"I heard they have a Steak 'n Shake there," Mr. Landesman added, "which is my favorite place to eat."

Mr. Landesman was also pleased to hear that the Eastlight's first production in 1992 was "Big River," a show he originated as a producer on Broadway. "I love that show and I love anyone who loves it," he said.

Mr. Landesman's Peoria remark, made around the time of his confirmation, generated considerable controversy among cultural groups, journalists and bloggers, as did some of his other comments in the article. The Bloomberg News writer Jeremy Gerard, for example, called Mr. Landesman's argument that the arts are valuable for their contributions to the economy "tired and dubious."

But Mr. Landesman said he had no regrets. "I felt I had the podium for about one day," he said. "I very much wanted to come out strong and say, 'The days of the cowering N.E.A. are over.'"

### Revelation in Memoir By William Golding

Cor

si

17

Si

Se

co

sh

er

th

th

ple

of

Stro Fron

Sha

dian f

New Control
critici
interv
Franc
Press

ported Khan, promo the fil

Name Khan, which dresse

racial ing of Sept. I vision United

lated.

ence,

world

and ba

cordin

Mr. Kl scared

not the

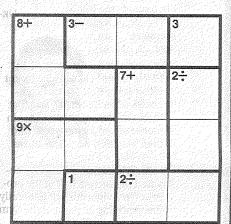
In his novel "Lord of the Flies," William Golding vividly reminded readers of the primal nature of man lurking beneath his civilized exterior. Golding, who won the Nobel Prize in Literature in 1983, was apparently no stranger to the dark side. In an unpublished memoir composed for his wife, Golding, below, who died in 1993, wrote that he tried to rape a 15-year-old girl when he was a young man, The Times of London reported. Golding's account of the incident was discovered by John Carey, chief book reviewer of The Sunday Times of London and an emeri-

tus professor of English literature at Oxford University, who has written a forthcoming biography, "Wil-



liam Golding: The Man Who Wrote 'Lord of the Flies,'" and had access to Golding's archives. In the unpublished memoir, called "Men, Women & Now," Golding wrote that he had tried to rape a friend after returning home at 18 from his first year at Oxford. Golding also wrote that as a schoolteacher he pitted his pupils against one another in "Lord of the Flies"-like experiments to see what happened when he gave them more freedom. "Lord of the Flies," about a group of schoolboys who revert to savagery when stranded on a deserted island, was published

### KenKen



	2÷		5×	
11+	40×			2
		16X	3	2 <del>:</del>
1-	4-			
		6	17+	
	6X			
		11+ 40× 1- 4-	11+ 40× 16× 16× 1- 4- 6	11+ 40× 16× 3 1- 4- 6 17+

1		4	2	)	3	
4		3			2	
2	)	1	3	3	4	
3		2	4		1	
1	4	5	2	3	6	
6	3	1	4	5	2	
3	6	2	5	ī	4	
4	1	3	6	2	5	
5	2	6	3	4	1	
2	5	4	1	6	3	

Fill the grid with digits so as not to repeat a digit in any row or column, and so that the digits within each heavily outlined box will produce the target number shown, by using addition, subtraction, multiplication or division, as indicated in the box. A 4x4 grid will use the digits 1-4. A 6x6 grid will use 1-6.

For solving tips and more KenKen puzzles: www.nytimes.com/kenken. For feedback: nytimes@kenken.com KenKen is a registered trademark of Nextoy, LLC. Puzzles © 2009, Gakken Co. Ltd, used under license.

## Crossword

**ACROSS** 

1 Short

Edited by Will Shortz

**50** A little scared **51** Candy bar with

PUZZLE BY TONY ORBACH

1 2 3 4 5 6 7 8 9 10 11 12 13

BIGGEST WORLDWIDE
OPENING EVER!

SAN FRANCISCO CHRONICLE

SAN FRANCISCO CHRONICLE

SAN FRANCISCO CHRONICLE

PG

HE YDAY FILMS

WWW.HARRY DOTTER COAN

MOSIL SERSE For Showling, Just Managerities and you ze Quie a GAUX (SSS)

NOW PLAYING
AT THEATTRS IVIRYWHIRE
CHICK YOUR LOCAL HISTINGS

IN THEATTRS IVIRYWHIRE
CHICK YOUR LOCAL HISTINGS

EXPLOSIVY OPENINGS SERVIC ONLY IN IMMAX SD

AMCLOEWS

REGAL ENT. GROUP

THE MAGIC CONTINUES.

IN TEHANTRIS AND IMAX

CRIGGINA OPENING SCINC ONLY IN IMAX SID

AMC LOEWS
MAX® THEATRE,
INCOLN SQUARE
3VWY & 68TH SI
-888-AMCAFUN
WEST 34TH STREET 14
24TH ST BET, 8TH &
27TH AWE, 1-888-AMCAFUN
VHITE PRIANS 747-6
REGALENT, GROUP
AMC LOEWS
WEST 34TH STREET 14
24TH ST BET, 8TH &
24TH AWE, 1-888-AMCAFUN
VHITE PRIANS 747-6
REGALENT, GROUP
AMC LOEWS

AMC LOEWS STONY BROOK 17 CITY CENTER IS: CINEMA DE LUX WHITE PIAINS 747-6000 AMC IOEWS IMAX" THEATRE AT PALISADES CENTER WEST NYACK 800-FANDANGO #787

is not. Newa AT Airpoi cials s closed on Saturday. Although Mr. Landesman missed that opportu-Ms. Chitwood said she looked forward to his future visit and that representatives from the Goodman and Steppenwolf were also expected to attend. "We're paying homage to the 'beer sum-

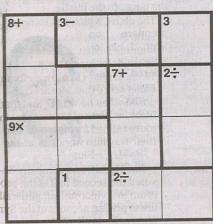
anything but," he said. "I think it's something we're all going to have good fun with. It's great for the Peoria folks - having some attention. And we can make a statement about the N.E.A. do intend to be everywhere. I'm looking forward to it.

and dubious.

But Mr. Landesman said he had no regrets. "I felt I had the podium for about one day," he said. "I very much wanted to come out strong and say, 'The days of the cowering N.E.A. are

Lord of the Flies"-like experiments to see what happened when he gave them more freedom. "Lord of the Flies," about a group of schoolboys who revert to savagery when stranded on a deserted island, was published

## KenKen



2 <del>÷</del>		2 <del>÷</del>		5×	
2-	11+	40×			2
			16×	3	2 <del>:</del>
11+	1-	4-		1.3	5 101969
	Lind	3 5 5 5	6	17+	en Evirbina
5+		6×		A CONTRACTOR	Political Political

PUZZLE BY TONY ORBACH

Fill the grid with digits so as not to repeat a digit in any row or column, and so that the digits within each heavily outlined box will produce the target number shown, by using addition, subtraction, multiplication or division, as indicated in the box. A 4x4 grid will use the digits 1-4. A 6x6 grid will use 1-6.

For solving tips and more KenKen puzzles: www.nytimes.com/kenken. For feedback: nytimes@kenken.com/ k of Nextov, LLC, Puzzles @ 2009, Gakken Co. Ltd, used under li

## rossword

### Edited by Will Shortz

- 1 Short
- 7 Hideout
- 11 General on a Chinese menu
- 14 Plugs
- 15 Right-hand person
- 16 Help in a heist, say
- 17 Fountain treat
- 19 Bearded beast 20 Bearded bloom
- 21 "Just watch me!"
- 23 Type size used in typewriters
- 27 Tangy pie filler
- 30 Goes postal
- 32 Penlight batteries
- 33 Patty Hearst kidnap grp. 34 He flew too close
- to the sun, in myth
- \_ du lieber!" 35
- 36 Abbr. on an envelope
- 37 Relative of a certain cobbler
- 41 Idiosyncrasies
- 43 Batman and Robin, e.g.
- 44 Game keeper?
- 47 Setting for TV's "Newhart"
- 48 Sharif of "Doctor Zhivago"

- 50 A little scared
- 54 Big stingers
- 55 Show deep respect (to)
- 56 Make
- 58 Vermeer's "Woman With a
- 66 Those, in Toledo
- 67
- hero searching for his identity
- ticks

#### DOWN

- 3 Harry Potter's best friend
- 4 Actress Thurman

- 9 Uganda's
- 10 Eye part

- 5 Pays what's due
- subscription

- 1 Alert, for short
- 2 Thing with cups and hooks

- 7 Run out, as a
- Amin

### ANSWER TO PREVIOUS PUZZLE

							34.9		3/19/1	700	13/20		G. FINS	
C	A	R	A	F	E		A	В	C	S		A	Н	S
C	L	E	٧	E	R		M	E	A	L		L	E	1
C	E	S	A	R	R	0	M	E	R	0		T	Υ	R
		Т	1	M		G	0	Т	0		S	1	D	E
C	H	A	L	I	C	E			В	A	T	M	A	N
E	A	R			L	E	A	Н		X	R	A	Υ	S
0	D	E	S	S	A		R	E	N	E	E			
	J	A	C	K	N		C	Н	0	L	S	0	N	
			A	1	S	L	Е		1	S	S	U	E	D
E	L	A	R	E		0	D	E	S			T	W	0
J	0	K	E	R	S			T	E	A	R	0	S	Е
0	T	T	S		C	Н	I	C		R	E	F		
R	1	N		Н	E	A	T	Н	L	E	D	G	E	R
D	0	T		0	N	Z	E		E	N	D	A	S	H
S	N	0		T	E	E	M		S	A	Y	S	S	0

- 51 Candy bar with
- maraschinos

- 59 Popular Fantalike soda
- Cop"
- 68 Robert Ludlum
- 69 Hideout
- 70 Carriers of Lyme
- 71 Balloons

- 6 Peter I, II or III
- 8 Feel ill
- 11 Rib-eye alternatives
- 12 Natural seasoning
- 13 Club chair companion piece
- 16 Biology lab supply
- 18 Buildup at a river's mouth
- 22 IV amounts
- 23 Yale student 24 Tone (early rapper)
- 25 Scientist who experienced a great fall?
- 26 Maryland squad
- 28 Lens type

- 29 Diamond Head locale
- 31 Archipelago unit:
- 35 Lexus competitor
- 36 Big name in metal foil
- 38 Dutch dairy product
- pirate's treasure
- with chocolate ice cream
- 46 Masthead

- 48 motto)
- Abbr.
- 39 Aid in locating a
- 40 Root beer float
- 41 Amused
- 42 Not farmed out 45 Passbook abbr.
- contents, briefly

- 8/18/09 (No. 0818) y Plata (Montana's
- 49 "Dear me!"
- 50 Thick carpet
- 52 66 and others: Abbr.
- 53 Guadalajara guy 57 Confederate soldiers, for short
- v. Wade
- 61 Actor Vigoda

65 "For \_

62 Lament 63 http://www.yahoo .com, e.g.

a iolly

64 Skit-filled NBC show, for short

For answers, call 1-900-289-CLUE (289-2583), \$1.49 a minute; or, with a credit card, 1-800-814-5550. Online subscriptions: Today's puzzle and more than 5,000 past puzzles, nytimes.com/crosswords (\$39.95 a year).

Read about and comment on each puzzle: nytimes.com/wordplay.

Mobile crosswords: nytimes.com/mxword.

Annual subscriptions are available for the best of Sunday crosswords from the last 50 years, 1-888-7-ACROSS.

THE MAGIC CONTINUES... BIGGEST WORLDWIDE OPENING EVER!



IMAX° DOME AT CRADLE OF AVIATION MUSEUM REGAL ENT. GROUP DEER PARK STADIUM 16 AND IMAX® 800-FANDANGO #40

WEST 34TH STREET 14

STONY BROOK 17

TV GEOGRAPHY

LILLY RUSH OF THIS CITY'S P.D. TRIES TO FIND THE KILLER OF EACH "COLD CASE"

FOR THE CORRECT RESPONSE, WATCH JEOPARDY! TONIGHT OR LOOK IN THIS SPACE TOMORROW IN THE TIMES.

Yesterday's Response: What is cellular?

**Watch JEOPARDY!** 7 p.m. on Channel 7

The New York Times Knowledge Vetwork

Fron Sha dian f can in

Stro

of

ho

ne

New . critici interv Franc Press porte Khan prom the fil Name which dress racial ing of

Sept. vision Unite lated ence world and b cordi Mr. K scare all of not tl is not

New

Airpo

on ar

EXIT 16 DANGO #275

FANDANGO #787

PLAYING IN 2D ONLY

Joy

grou the NBO Ball pan ter ( Son cou dur

> rua Bal for Tea ing Uni incl Bill Cor

> > osit Chi

> > on S

01

Cri

dis

#### DR PEPPER/SEVEN UP, INC. v. KRUSH GLOBAL LIMITED

Consolidated Proceedings
Opposition No. 91180742 (Parent)
Cancellation No. 92048446

# OPPOSER'S EXHIBIT PX224

## Racism, War and Sex in a 1970 Stew

While eagerness and zeal can't overcome an uneven script and flawed execution, they do occasionally add spark to "... Another Man's Poison," a spirited if underdeveloped

REVIEW

new play at the Peter Jay Sharp Theater.

In the story KEN JAWOROWSKI Frankie Masters, a black comedian,

is hard at work on a comedy show he hopes to move to network television. His ambition strains his relationships with his wife and son, leading to the inevitable family conflicts and confessions. Along the way the play, set in 1970, touches on a number of topics - racism, the Vietnam War, sex — though it doesn't grab hold of any of them for long.

Those frequent shifts of focus and the script's awkward construction (the three-act play has two intermissions, one coming with less than a half-hour remaining in the show) encumber an otherwise intriguing tale. But the production is always pleasing to the eye: the set, by Kevin Lee Allen, is striking and impeccably designed, and the costumes, by Ali Turns, are first-

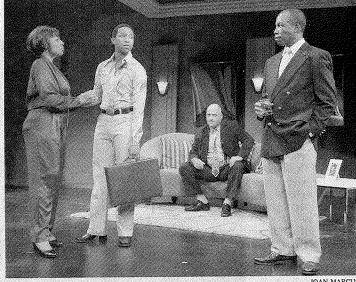
Such attention to detail isn't consistent throughout. The director Passion Hansome's deci-

"... Another Man's Poison" continues through Sunday at the Peter Jay Sharp Theater, 416 West 42nd Street, Clinton, (212) 279-

KNOW)

Details at nytimes.com/knowledge

Enrich vour life, energize your career.



From left, Penelope Lowder, James Edward Shippy, Steve Greenstein and Leland Gantt in "... Another Man's Poison."

. . . Another Man's Poison Peter Jay Sharp Theater

sion to situate most of the action far back into a wide and deep stage undermines the play's energy, as does positioning the actors yards apart during moments of heated argument. Similar puzzling choices regarding set changes and scene placement also work against the plot and drain it of much-needed tension.

Still, the cast often manages to shine. As Frankie, Leland Gantt is regularly the center of attention and he handles the spotlight with skill. Penelope Lowder is equally impressive as his wife, Pauline. As their son, Alan, James Edward Shippy delivers a fine and nuanced performance.

While it's easy to applaud these efforts, it is, regrettably, difficult to recommend spending \$75 a ticket for a play that remains unpolished. George O. Brome's script and the crew would have certainly benefited from a more modest production to develop and test the work. Like the showbiz characters in

'...Another Man's Poison," everyone wants to make it to the top. But it's sometimes wise to start out small.

Ehe New York Eimes

Knowledge

## Arts, Briefly

Compiled by Dave Itzkoff

### Obama to Speak At Cronkite Memorial President Obama will be

among the guest speakers at a public memorial service for Walter Cronkite next month, The Associated Press reported. The White House confirmed to The A.P. that the president would speak at the event, scheduled for Sept. 9 at Lincoln Center, in honor of Mr. Cronkite, below, the longtime CBS News anchorman who died on July 17. A full lineup for the service has not been announced, but a CBS executive told The A.P. that former President **Bill Clinton** is expected to attend, as well as Katie Couric, Andy Rooney and Bob Schieffer of CBS News; Tom Brokaw, the former NBC news anchor; and



**Buzz Al**drin, the former astronaut. Expected performers include Mickey Hart, Wynton Marsalis, Michael

Feinstein, Jimmy Buffett and the Marine Corps band. Ticket information has not been announced.

### **Bollywood Star Urges Fans to Halt Protests**

After returning to his native India on Tuesday, the Bollywood star **Shah Rukh Khan** said that his detention by immigration officials at Newark Liberty International Airport had been blown out of proportion, but that he would limit his future visits to the United States, The Associated Press reported. Speaking to reporters, Mr. Khan said, "Of course I will visit the U.S. if I have to go for my work, but I will go less often," according to The A.P. He also asked his fans to cease their protests. "Let's put this behind us," Mr. Khan said, "think positively and move ahead." The actor was detained on Friday for about an hour at the Newark airport after United States immigration officials said

THE MAGIC CONTINUES...

BIGGEST WORLDWIDE

Opening Ever!

WWW.HARRYPOTTER.COM

CHICK YOUR LOCAL LISTINGS

NOW PLAYING THEATERS EVERYWHERE

REGAL ENT. GROUP NEW ROC CITY 18 & IMAX® OFF 1-95 EXIT 16 800-FANDANGO #275

NAT'L AMUSEMENTS
CITY CENTER 15:
CINEMA DE LUX
WHITE PLAINS 747-6000
AMC LOEWS
IMAX\* THEATRE AT
PALISADES CENTER
WEST NYACK

WEST NYACK 800-FANDANGO #787

PLAYING IN 20 ONLY

IMAX' DOME AT CRADLE OF AVIATION MUSEUM

GARDEN CITY 516-572-4111

PG .

HEYDAY FILMS

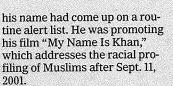
AMC LOEWS IMAX® THEATRE, LINCOLN SQUARE

AMC LOEWS WEST 34TH STREET 14

REGALENT, GROUP SHEEPSHEAD BAY STADIUM 14 800FANDANGO #614

AMC LOEWS STONY BROOK IV 1-888-AMC4FUN

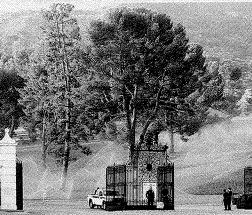
STADIUM 16 AND IMAX® 800-FANDANGO #4008





### **Not Dead Yet: Monty Python Reunites**

All six — yes, six — members of Monty Python, that influential British comedy troupe, which supplied us with those classic routines and catchphrases that we could totally recite from memory but won't bore you with, will come together in New York in the fall for to celebrate the group's 40th anniversary and to promote a documentary. The event, to be held on Oct. 15 at the Ziegfeld Theater in Manhattan, was announced Tuesday by the Independent Film Channel and the British Academy of Film and Television Arts, which are jointly organizing the event. In a news release, the groups said that the Monty Python founders John Cleese, above, Terry Gilliam, Eric



with Rock Media &

ment, which also st

media and fashion

companies said. Th

ny will be called RI

continue to produc

events under the G

Rock Media brand:

by executives from

nies, and combine York, Los Angeles

Kristof and W

Win Literary

Nicholas D. Kris

nist for The New Y Sheryl WuDunn, a er and editor for Tl

named the recipier Dayton Literary Pe Lifetime Achievem izers announced or

The prize's commi

Mr. Kristof and Ms who shared a Pulit 1990 for their cover

mocracy movemen

pression in China, "in recognition of t

chronicling human

Africa, and the dev

world." The prize of

announced the fina

tion and nonfiction

The fiction nomine

"Peace" by Richar

"The Plague of Do

Erdrich; and "Bei

Ma Jian. The nonf

include "Human S

ginnings of World

of Civilization" by

Baker; and "Hot, I

Crowded" by Tho

man, a columnist f

A winner and a ru

categories will be

### **Burial Plans Announced for Michael J**

Michael Jackson will be buried on what would h his 51st birthday, publicists for the Jackson family sa Tuesday. The publicity firm Sunshine, Sachs & Asso nounced that Mr. Jackson would be buried on Aug. 2 a.m., at Forest Lawn Memorial Park, above, in Glen

Calif. The firm said that the burial ceremony would be private — limited to the Jackson family and close friends — but that there would be nearby accommodations for the news media. The Jackson family, the announcement said, "once again wishes to express its gratitude to Michael's fans around the world for their support during these difficult times." Also on Aug. 29, The Associated Press reported, the filmmaker Spike Lee, right, will host a block-party-style celebration in Brooklyn to commemorate Mr. Jackson's birthda

Jackson died on June 25 after suffering cardiac arre Los Angeles County coroner's office has not release sults of its investigation into his death. He was hono public memorial on July 7 at the Staples Center in L

Entertainment To Announce Gen Art, the com duces the independ Film Festival, is to Wednesday that it i

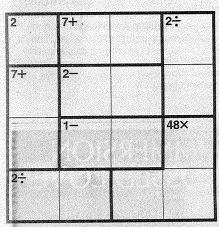


### **Reruns Lift C**

Sept. 22.

Repeats of CBS that network earn finish in the rating According to Niels reruns of "Two an (8.7 million viewer

KenKen



36×

PUZZLE BY PETER A. COLLINS

Fill the grid with digits so as not to repeat a digit in any row or column, and so that the digits within each heavily outlined box will produce the target number shown, by using addition, subtraction, multiplication or division, as indicated in the box. A 4x4 grid will use the digits 1-4. A 6x6 grid will use 1-6.

For solving tips and more KenKen puzzles: www.nytimes.com/kenken. For feedback: nytimes@kenken.com emark of Nextoy, LLC. Puzzles © 2009, Gakken Co. Ltd, used under lic

### rossword Edited by Will Shortz

#### **ACROSS**

unto itself

- s Brown fur 10 Is shy, in a way
- 14 Game Gear
- company 15 Philanderer, in
- slang
- 17 Our genus
- 18 Madre's
- hermanos
- 19 To this point, in verse
- 20 Intravenous hookup
- 21 Hamid Karzai. starting in 2004
- 24 Uppity type
- 25 Org. concerned with firing practices?
- 26 One of four generations in a photo
- 34 Iranian cash 35 Occasion for a

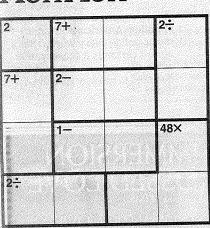
- 45 Driver's electric convenience
- 50 Old Ford model 51 Like 26-Down
- 52 Frances Hodgson Burnett kid-lit novel .. and a hint to 21-, 26- and 45-Across
- 59 Piltdown man, notably
- 60 Longtime label for 38-Down
- 61 Like a hottie 62 Rocker Quatro
- 63 Father \_\_\_\_, leper priest of Molokai 64 "Ain't it the truth!"
- 65 Siesta time. maybe 66 Has-
- who are washed 67 Like some sums

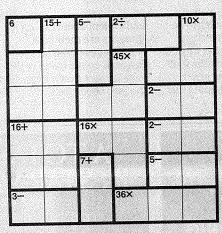
### Enrich your life, energize your career.

Details at nytimes.com/knowledge

#### Elje New york Eimes Knowledge Network

## KenKen





9/1/3

4		4		1	<b>O</b>
4		2	3		1
1	1 3		4		2
3		1	2		4
2	4	6	3 5	5	1
3	6	4	5	5 1 3	2
1	5	2	4	450.00	1 2 6 3
2 3 1 6 5	6 5 2 3	2 5	1	4	3
5	3	1 3	6	2	4
4	1	3	2	6	5

PUZZLE BY PETER A. COLLINS

Fill the grid with digits so as not to repeat a digit in any row or column, and so that the digits within each heavily outlined box will produce the target number shown, by using addition, subtraction, multiplication or division, as indicated in the box. A 4x4 grid will use the digits 1-4. A 6x6 grid will use 1-6.

For solving tips and more KenKen puzzles: www.nytimes.com/kenken. For feedback: nytimes@kenken.com

ed trademark of Nextoy, LLC. Puzzles © 2009, Gakken Co. Ltd, used under licen

## rossword

#### Edited by Will Shortz

45 Driver's electric **ACROSS** 

- unto itself
- s Brown fur
- 10 is shy, in a way
- 14 Game Gear company
- 15 Philanderer, in slang
- 17 Our genus
- 18 Madre's hermanos
- 19 To this point, in verse
- 20 Intravenous
- hookup 21 Hamid Karzai,
- starting in 2004
- 24 Uppity type
- 25 Org. concerned with firing practices? 26 One of four
- generations in a photo
- 34 Iranian cash
- 35 Occasion for a proctor
- 36 Overly
- "Must've been \_ 37 something
- 38 Like "King Lear" 41 Keep an appointment
- 42 When juillet and août occur
- 43 Get rid of
- 44 Vacant, in a way

PROMOS

ICS

BANANASPLIT

CARUS ACH

IRIS

- convenience
- 50 Old Ford model
- 51 Like 26-Down
- 52 Frances Hodgson Burnett kid-lit novel ... and a hint to 21-, 26- and 45-Across
- 59 Piltdown man, notably
- 60 Longtime label for 38-Down
- 61 Like a hottie
- 62 Rocker Quatro 63 Father
- Father \_\_\_\_, leper priest of Molokai 64 "Ain't it the truth!"
- 65 Siesta time,
- maybe
- 66 Has-(ones who are washed up)
- 67 Like some sums

#### DOWN

- 1 Wirehair of film
- 2 Son of Eric the Red 3 All worked up
- 4 Stock transaction made to claim a tax deduction
- s Court worker, for short

ABET

GOAT

ICANSO

ARCADE

SWELLS

6 Sluggishness

ANSWER TO PREVIOUS PUZZLE

AIDE

LITELEMONCREAM

LOSESIT AAAS SLA

APPLECRUMBLE

INN OMAR SPOOKED

CHERRY MASH WASPS

K O W T O W E A R N L U T E O R A N G E C R U S H E S O S R O B O B O U R N E

DUO

DEER

- 7 Mobster's code
- 9 New Mexico
- 10 "Mercy!"
- - 16 Promo container
  - 22 See 39-Down
  - weight
  - 26 "Peer Gynt"

- 12 Discharge

- 23 Apothecary
- composer
- 27 Gaucho's gear

- 8 Dots over eves?
- skiing locale
- 11 Dog-eared
- 13 Conciliatory bribe
- that's a twofer

- 28 What "-vore" means

- 29 Like some ions:

- Abbr.
- 30 Early sixthcentury date
- 31 Patriot Allen
- 32 Nary a soul 33 Air controller's
- place 38 Jerry Garcia's band, for short
- 39 With 22-Down,
- stinging insects 40 Hubbub
- 41 Shows disdain for 43 Snorkel and
- colleagues: Abbr. \_ loquitur 44 Res
- 46 "Dynasty" vixen

47 Infant's bodysuit

8/19/09 (No. 0819)

- 48 Raising a stink?
- 49 Hammond products
- 52 Historic site option
- 53 Give a paddling, maybe
- 54 Kvetcher
- 55 White coat
- 56 Moore of film 57 Deleted, with
- "out" 58 Part of Rockefeller Ctr.'s address
- 59 V-J Day pres.

For answers, call 1-900-289-CLUE (289-2583), \$1.49 a minute; or, with a credit card, 1-800-814-5550.

Online subscriptions: Today's puzzle and more than 5,000 past puzzles, nytimes.com/crosswords (\$39.95 a year).

Mobile crosswords: nytimes.com/mxword.

Annual subscriptions are available for the best of Sunday crosswords from the last 50 years: 1-888-7-ACROSS.

Read about and comment on each puzzle: nytimes.com/wordplay.

his detention by immigration officials at Newark Liberty International Airport had been blown out of proportion, but that he would limit his future visits to the United States, The Associated Press reported. Speaking to reporters, Mr. Khan said, "Of course I will visit the U.S. if I have to go for my work, but I will go less often," according to The A.P. He also asked his fans to cease their protests. "Let's put this behind us," Mr. Khan said, "think positively and move ahead." The actor was detained on Friday for about an hour at the Newark airport after United States immigration officials said

SIN SHAH KUKH KHAH SAIU WA



AMC LOEWS IMAX® THEATRE, LINCOLN SQUARE

AMC LOEWS WEST 34TH STREET 14 34TH ST. BET. 8TH & OTH AVE. 1-888-AMC4FUN 34TH ST. BET. 8TH Q 7TH AVE 1-888-AMC4FU REGAL ENT. GROUP SHEEPSHEAD BAY STADIUM 14 900FANDANGO #614 AMC LOEWS STONY BROOK 17

1-888-AMC4FUN REGAL ENT. GROUP DEER PARK STADIUM 16 AND IMAX® 800-FANDANGO #40

NAT'L AMUSEMENTS CITY CENTER 15: CINEMA DE LUX WHITE PLAINS 747-6000

AMC LOEWS IMAX" THEATRE AT PALISADES CENTER WEST NYACK 800-FANDANGO #787 PLAYING IN 2D ONLY IMAX\* DOME AT CRADLE OF AVIATION MUSEUM GARDEN CITY 516-572-4111

### KINGS OF LEON

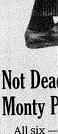
IN 1081. ALFONSO VI BANISHED FROM **LEON THIS MOST** FAMOUS MEDIEVAL SPANISH WARRIOR

FOR THE CORRECT RESPONSE, WATCH JEOPARDY! TONIGHT OR LOOK IN THIS SPACE TOMORROW IN THE TIMES.

Yesterday's Response: What is Philadelphia?

Watch JEOPARDY! 7 p.m. on Channel 7

his name had tine alert list his film "My which addre filing of Mus 2001.



of Monty P

British con

supplied us

routines ar

we could to

orv but wo come toget

fall for to c

40th anniv a documen held on Oc Theater in nounced T pendent F **British Aca** Television organizing release, th Monty Py Cleese, ab Idle, Terry and, some man (who present fo document Almost th Cut)," afte comedian Q. and A. award fro The group several ti from a 199 **United St** val in Asp opening o 'Monty P

> ON TH www.nyt

six-hour v

tary will l

on Oct. 18

ArtsBeat New Yor the-minu of arts ar nytimes.

### **CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and correct copy of the foregoing **Notice of Reliance on Printed Publications** to be sent by email to counsel for applicant, Jason Drangel, Esq., jdrangel@ipcounselors.com, this 1<sup>st</sup> day of September, 2009.

Laura Popp-Rosenberg